

Remarks

Independent claims 1, 11, 15, 16, 17, 18 and 19 have been amended to more clearly define the invention. Basis for the amendments can be found in the description as a whole and in particular on page 7 lines 34-35 and in Figures 2, 3a and 3b and associated description.

The Examiner continues to reject claim 1 as being anticipated by Matsumoto (US 6,678,720). The Applicant has carefully considered the Examiner's comments in the Advisory Action but remains of the view that the claims of the present application define an invention which is both novel and non obvious having regard to the content of Matsumoto. The Applicant maintains as valid the submissions presented in the Applicant's previous responses, subject to the clarifications made below.

In section of the Final Office Action of November 5, 2004, the Examiner argues that Matsumoto teaches, in column 10 line 66 and column 11 lines 1-7, a messaging server arranged to store one or more pre-specified messages. This passage of Matsumoto, as discussed in previous responses refers to, "a predetermined voice message that is prepared in advance. An example of a voice message would be "Please select routine. To leave a message, press #1. To listen to a conversation, press #2"" (Matsumoto, column 11 lines 4-8). The Applicant therefore understands that the Examiner is equating this "predetermined voice message" with the "pre-specified message" of claim 1.

However the predetermined message of Matsumoto is not "associated with said user" as is required by the amended claim 1. Additionally, this predetermined voice message of Matsumoto is not "sent to the destination party mailbox from the messaging server" "when a specified input is received from said user" (this application, claim 1), but instead it is played to the destination party at the request of the destination party. The use of the "predetermined voice message" is therefore

totally different to the treatment of the "pre-specified message" according to claim 1 of this application. Furthermore, this correspondence between the "pre-specified message" of claim 1 and the "predetermined voice message" of Matsumoto is wholly inconsistent with the Examiner's interpretation of Matsumoto for the rest of claim 1 as discussed below and in a previous response.

In the Final Office Action the Examiner also argues that Matsumoto teaches that when a specified user input is received at the input, one of the pre-specified messages is sent to the destination party mailbox from the messaging server, citing Matsumoto column 12 lines 39-50. This passage of Matsumoto refers to messages which are text messages of a predetermined format which are sent to the destination party. Such messages are not "a pre-specified message associated with said user" (this application, claim 1) but are instead of a predetermined format associated with the network/message server because they indicate where the message from the user is stored. As discussed in a previous response, such messages cannot be pre-specified because each such message gives a different location. Additionally, the messages from the user are not sent to the destination party mailbox from the messaging server. Instead they are stored at any location on the messaging server and the aforementioned text messages of predetermined format are sent to the destination party providing the specific location at which the message is stored.

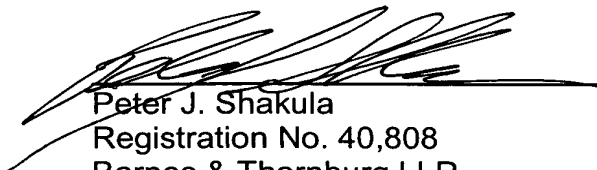
Thus it is clear from this submission and those of the Applicant's previous responses that Matsumoto does not teach all the limitations of the amended claim 1 and consequently the rejection of claim 1 cannot be sustained.

The above arguments in relation to claim 1 are also applicable to the other independent claims and the Applicant respectfully submits that the rejection of these claims cannot also be sustained.

Favorable reconsideration of the claims is therefore requested.

May 5, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter J. Shakula", is written over a horizontal line.

Peter J. Shakula
Registration No. 40,808
Barnes & Thornburg LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 (fax)